Conversation Contents

Friends of Cedar Mesa comments on introduced PLI & its "poison pills"

Attachments:

/227. Friends of Cedar Mesa comments on introduced PLI & its "poison pills"/1.1 FCM-PLI Introduction Opposition Letter.pdf

Amanda Podmore <amanda@cedarmesafriends.org>

From:	Amanda Podmore <amanda@cedarmesafriends.org>
Sent:	Tue May 09 2017 15:36:40 GMT-0600 (MDT)
To:	<downey_magallanes@ios.doi.gov>
Subject:	Friends of Cedar Mesa comments on introduced PLI & its "poison pills"
Attachments:	FCM-PLI Introduction Opposition Letter.pdf

Hi Downey,

It was great to meet you yesterday at the Edge of the Cedar State Park & Museum. On behalf of our entire organization, I would like to thank you and Secretary Zinke for taking the time to meet with Friends of Cedar Mesa to discuss the archaeological and local significance of the Bears Ears National Monument. As you requested in our meeting, I am sharing a list of the "poison pills" in the introduced version of the Utah Public Lands Initiative. We originally shared our perspective on these failures with the Utah Delegation in 2016.

If any of the Secretary's staff need more resources or would like another opportunity to get out on the ground in the monument, we are available to your team to make sure you have access to the best resources and available information.

With appreciation,

Amanda Podmore

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"Magallanes, Downey" <downey_magallanes@ios.doi.gov>

From:	"Magallanes, Downey" <downey_magallanes@ios.doi.gov>
Sent:	Fri May 12 2017 08:52:05 GMT-0600 (MDT)
To:	Amanda Podmore <amanda@cedarmesafriends.org>

Subject: Re: Friends of Cedar Mesa comments on introduced PLI & its "poison pills"

Thank you.

On Tue, May 9, 2017 at 3:36 PM, Amanda Podmore <amanda@cedarmesafriends.org> wrote:

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>
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Friends of Cedar Mesa

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The Honorable Rob Bishop
123 Cannon House Office Building
United States House of Representatives
Washington, DC 20515

The Honorable Jason Chaffetz
2236 Rayburn House Office Building
United States House of Representatives
Washington, DC 20515

July 19, 2016

Subject: Opposition to Introduced PLI Legislation

Dear Congressmen Bishop and Chaffetz:

After receiving legislative language shared with Friends of Cedar Mesa on July 8th and maps shared on July 12th, we drafted a letter in response to the Public Lands Initiative legislative text. In that letter we expressed our appreciation for the hard work of your staff to engage in meaningful and constructive conversations with us on ways to improve January's Discussion Draft. We shared a draft of that letter with your staff and also provided a quote for the PLI rollout expressing gratitude for having been involved with the process and our hopes that our remaining concerns with the bill could be addressed in the legislative process.

After the official release of the PLI legislation, however, our hopes of the bill evolving to one we could support have been dashed. Very problematic provisions were added to the bill after it was shared with us, and we were never made aware of the "PLI Partner Act" before the public roll out. Combined, these last minute changes lead us to conclude that a reasonable, win-win compromise is not forthcoming.

As you know, Friends of Cedar Mesa has been engaged in the Public Lands Initiative process for more than 3 years. We attended every meeting in San Juan County and have made every effort to work with our friends, neighbors, and elected officials. Because we are the local, on-the-ground group, we feel Friends of Cedar Mesa may be the most invested in finding a legislative solution of all the conservation groups at the table.

While we continue to believe that a legislative solution to conservation needs in southeastern Utah would have been the preferable path, we now have no faith that our legislative delegation is seeking a true compromise, even by our terms (and we're the right flank of the conservation community).

Despite all our efforts to work constructively on this legislation, **we oppose the language in the bill as introduced.** We cannot abandon our mission to help protect the natural and cultural resources of public lands in San Juan County by supporting a bill with provisions likely to result in resource damage on the ground. Last minute land trades added to the bill would extend the footprint of cultural resource damage, decimate Bluff's economy and dramatically change our way of life.

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Provisions we oppose in the introduced language of the Public Lands Initiative bill include:

1. **Proposes a massive block of SITLA land on top of Bluff to facilitate large-scale energy development that would devastate Bluff's tourism-based economy and our quality of life.** This is an egregious change to the PLI drafts we saw in January, June and just four days before the release of the PLI. It's a huge step in reverse. After all the efforts FCM took to help refine a bill that could be the resolution to local cultural resource and conservation needs, this last-second proposal is an insult to the idea of public process and constructive negotiations with the Utah Delegation. In the old version, we found it worrisome that SITLA wanted a few sections around Bluff. Now we see what SITLA really wants: a larger block of land in FCM's backyard than they are asking for in Lisbon Valley. If SITLA gets its way, the new welcome sign to those coming to Bluff would be a series of oil rigs and fracking operations.

2. **Retains ownership and mineral development rights by SITLA on lands inside the Bears Ears NCA north of Bluff (Tank Mesa & Cottonwood Wash),** therefore failing to protect internationally significant archaeology from energy development. This means drilling and privatization could occur within the NCA, completely opposed to the entire point of creating a Conservation Area.

3. **Does not trade out SITLA parcel on the southern end of the Comb Ridge that will be otherwise be sold to the highest bidder this October.** With this move, SITLA shows its intent to create the only privatized section of the Comb Ridge. This last second change comes despite FCM and the community of Bluff expressing strong opposition to the sale at a community meeting on June 7^{h} at which Director Ure assured the community if the PLI passed the sale would be moot. This significant square mile of what should be public land contains important archaeological and recreational values and deserves the protection afforded to the rest of the Comb Ridge in an NCA or Monument.

4. **Leaves surface rights to three other key SITLA parcels on Cedar Mesa to SITLA,** creating the potential for serious land management conflicts or privatization of lands that should be traded out so they can be permanently made public land.

5. **Gives the State of Utah, which already lacks transparency and public process when handling drilling permits, undue authority in any type of energy development on all available public lands** in San Juan County. This delegation of authority would expedite energy development on lands that would be better served by a Master Leasing Plan process that requires thoughtful planning for cultural resources and other land uses. Title XI on energy development gives no mention of the significant cultural resources in Utah, opening up a pathway to conflict over streamlined energy development in archaeologically dense areas like Montezuma Canyon and Alkali Ridge.

6. **Fails to protect important archaeological and recreation areas in the White Canyon drainages and Southern Abajo areas** (Allen Canyon, Chippean Canyon and Dry Wash Canyon).

7. **Fails to protect two important sections of the internationally significant San Juan River corridor as a "Recreational River**," despite recommendation for such designation by the official BLM study.

8. **Opens up sensitive archaeological areas now closed to grazing (inside and outside of NCAs)** to damage from cattle in cultural sites. Likewise, internal conflicts in the bill potentially direct grazing in wilderness to be resumed in places where it has been eliminated to protect cultural and recreational resources. FCM cannot support any language with the potential to

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open Grand Gulch, Slickhorn, and the other canyons on Cedar Mesa to cattle grazing.

9. **Fails to adequately involve local people in decision making for the Indian Creek National Conservation Area** by creating no local stakeholder advisory group and giving primary advisory status to a committee of county commissioners and state officials who do not know the area at all.

10. **Despite the positive step of naming the Hole-in-the-Rock Trail a National Historic Trail, creates conflict with existing land use plans by facilitating the overriding of group size limitations in the trail corridor.** In addition, the location of the HITR Trail on the map is likely incorrect and the language does not allow for the exact location of the trail to be confirmed after it is designated.

11. **Gives blanket approval to an ATV route in Recapture Canyon on the route that is already damaging archaeological sites.** The language is not definitive as to whether compliance with the NHPA and NAGPRA are automatically granted with the application or whether the Section 106 process must be followed. Because this route bisects sensitive archaeological sites, the bill must require compliance with these laws and rerouting if deemed necessary to protect the resource.

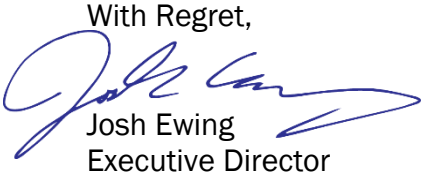
12. **Fails to resolve RS 2477 litigation in Wilderness and NCA areas**, meaning the actual protection for those areas may be far less than in other Wilderness and NCAs around the country.

13. **Cherry stems at least one road in wilderness on Cedar Mesa that is currently closed for cultural resource protection and wilderness characteristics.** The Hardscrabble road on Cedar Mesa was closed as part of an open public process that resulted in the 2008(A) RMP**.**

14. **Releases the Cross Canyon and Squaw Papoose WSAs from management that would protect wilderness values.** These are archaeological rich areas that will be very difficult to develop anyway, due to high archaeological densities. Releasing these is a symbolic move that, in our view, allows for easy attack of this bill as reducing current protection of important lands.

Leaving critical, sensitive archaeological areas out of the path to protection while streamlining activities likely to irreparably harm cultural resources across vast tracks of land makes the introduced bill something we strongly oppose. We have worked for years through a process we hoped would lead to a tenable bill we could improve on through the markup process. Failing a massive effort at a true compromise negotiation, it now appears the time to make the large corrections needed is too short. In light of the failure of the PLI process to achieve a legitimate compromise that has hopes of bi-partisan support, Friends of Cedar Mesa has no choice but to fully support President Obama protecting the Bears Ears region as a National Monument.

With Regret,



Josh Ewing
Executive Director

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